

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-cv-00664-MR

TRAVON LEVI WOODS,

Plaintiff,

v.

RONALD COVINGTON, *Officer,*  
*Scotland Correctional Institution,*  
DANIEL BARNES, *Unit Manager,*  
*Scotland Correctional Institution,*  
ALFORD HUNT, *Correctional Officer,*  
*Scotland Correctional Institution*

Defendants.

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ORDER

This matter is before the undersigned on Defendants' Motion to Reschedule Judicial Settlement Conference and Motion to Excuse Attendance of Individual Defendants (the "Motion," Doc. 78).

A telephonic settlement conference has been set for Thursday, August 26, 2021 beginning at 1:00 p.m. The undersigned's Order of August 9, 2021 provided instructions regarding the parties' participation in that conference. Doc. 77.

By their Motion, Defendants ask that the Judicial Settlement Conference be rescheduled. For the reasons set forth in the Motion, Defendants' request will be allowed.

Additionally, Defendants ask that Ronald Covington, Daniel Barnes, and Alford Hunt (“Defendants”) be excused from personally attending the conference. Doc. 78 at 3. Defendants contend that this request is justified because the North Carolina Department of Public Safety (“NCDPS”), as Defendants’ employer, is “primarily responsible for monetary awards,” and because representatives of NCDPS “will attend the scheduled settlement conference and will have the ability to negotiate and enter into any binding settlement agreement on behalf of Defendants.” Id. See N.C.G.S. §143-300.6(a) (“The unit of State government that employed the employee shall pay the first one hundred fifty thousand dollars (\$150,000) of liability”).

With respect to Defendants’ participation, while defense counsel and the NCDPS representatives may have authority to negotiate and enter a binding settlement on behalf of Defendants, as parties to the case Defendants themselves have a vested interest in the matter and the undersigned otherwise believes Defendants’ personal participation in the conference may be beneficial. In order to ensure that such participation is not unduly burdensome, the undersigned previously advised that Defendants and their counsel may participate in the settlement conference from different physical locations if they so choose, as long as they are on one conference line during the conference. See Doc. 77 at 2. Accordingly, Defendants’ request that they be excused from personally participating in the conference will be denied.

**IT IS HEREBY ORDERED THAT** Defendants' Motion to Reschedule Judicial Settlement Conference and Motion to Excuse Attendance of Individual Defendants (Doc. 78) is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) Defendants' request that the Judicial Settlement Conference be rescheduled is **GRANTED**, and the Judicial Settlement Conference is **RESET** to **Thursday, September 30, 2021 beginning at 1:00 p.m.** All provisions of the undersigned's previous order regarding the Judicial Settlement Conference (Doc. 77) remain in effect.
- (2) Defendants' request that Ronald Covington, Daniel Barnes, and Alford Hunt be excused from personally attending the conference is **DENIED**.
- (3) The Clerk is respectfully directed to certify a copy of this Order to Ms. Alicia Baker at Bertie Correctional Institution.

Signed: August 20, 2021



W. Carleton Metcalf  
United States Magistrate Judge

